From: Joe Palen

To: Microsoft ATR

Date: 1/24/02 10:31pm

Subject: Microsoft antitrust case

I would appreciate DOJ assessing a strategic perspective of the Microsoft antitrust case.

In the late 1800s, the expansion of the railroads was a major industry responsible for the country's economic development. At first, the railroads were allowed, even encouraged, to grow into new areas and develop new markets. Standardization on a common railroad gage provided interoperability of equipment throughout the country, fostering economic development. As the industry expanded and matured, eventually monopolistic tendencies caused the railroads to act more as inhibitor then a benefactor of the entrepreneurial sprit that is the lifeblood of our country. The monopoly was broken into smaller entities, permitting open market competition. This allowed first the roadway and then the airline sectors of the transportation system to flourish, and now we have open competition between these sectors providing the best of all worlds with regard to transportation efficiency.

By the late 1990s, it was apparent that personal computers were ushering the country into the information age, opening up many new markets and opportunities. Market dominance of by one company aided the interoperability that enhanced this market development. However, now that market dominance has again allowed unfair and/or illegal product development practices to strangle competitors and stifle innovation - providing a net disbenefit to society. This happened much quicker than with the railroads, but the implications are no less profound.

You now have the flexibility to drive your car to work or take a plane to a meeting. You are not constrained to rail or any other singular transportation platform. This benefits society, allowing different platforms to optimize for different markets and different functions.

Will your children be constrained to what is allowable from one and only one information processing platform, provided by one company with one mindset, simply because their forefathers didn't have the insight to restrict a monolith's monopolistic practices and allow open competition to flourish again?

Open competition inspires the innovation that has allowed America to be the shining light of the world's economy. Please consider the strategic implications and precedence of this case - for you, your kids, and this country.